

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Very Reverend Georges F. de Laire, J.C.L.

v.

Civil No. 21-cv-131-JL

Gary Michael Voris, et al.

Summary Order

Defendants' counsel moves to withdraw from representation due to a conflict of interest that recently developed. In response, Father de Laire moved to extend time to move for sanctions, sought a temporary restraining order to prevent the defendants from transferring two properties owned by Saint Michael's Media in Ferndale, Michigan, and moved to attach the same properties. The court held a video conference. After considering the filings and the discussions during the video conference, the court grants the motion to withdraw, grants the motion for extensions of time, and defers the motions for a temporary restraining order and to attach until after the conference scheduled for **2:00 p.m. on Tuesday, December 26, 2023**. In the meantime, the defendants will not sell or otherwise alienate the two properties at issue in Father de Laire's motions.

I. Motion to Withdraw from Representation

When counsel moves to withdraw from representation, the court must consider the timeliness of the motion and must inquire into the reasons for withdrawal. See [United States v. Gottesfeld](#), 18 F.4th 1, 13 (1st Cir. 2021). Counsel stated that he became aware of a conflict among the defendants after Voris severed his relationship with Saint Michael's Media and during conversations with the defendants on December 7 and 8,

2023. Counsel asserts a conflict of interest under New Hampshire Rule of Professional Conduct 1.7(a) that provides as follows:

a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

- (1) the representation of one client will be directly adverse to another client;
- or
- (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

During the videoconference, the court conducted an in camera session with counsel and the defendants (Michael Voris and Mike Sherry for Saint Michael's Media) to discuss the reasons for withdrawal. The court is satisfied that a conflict exists among the defendants that precludes counsel from representing the defendants together, from representing any one of them separately, and from representation for purposes of the current issues pertaining to discovery, settlement, and injunctive relief. Therefore, the motion to withdraw is granted.

II. Deadlines, Temporary Restraining Order, and Attachment

As noted above, Father de Laire seeks an extension of time to file his motion for sanctions, a temporary restraining order to prevent the sale of Saint Michael's Media's properties in Ferndale, Michigan, and a motion to attach those properties. The court discussed those issues with the parties during the videoconference. The motion for an extension of deadlines is granted in that the discovery deadline that expired on December 11, 2023, and the deadline for a motion for sanctions will be rescheduled at a later date.


Father de Laire's motions for injunctive relief and to attach may be resolved by agreement after Saint Michael's Media has an opportunity to obtain counsel or advice on

the issues. A follow-up videoconference is scheduled for Tuesday, December 26, 2023, at 2:00 pm. Mike Sherry agreed that Saint Michael's Media will not close on the pending sales of either property before the videoconference. The court defers decisions on those motions until after the videoconference.

Conclusion

For these reasons, the court grants the motion to withdraw (document no. 198). The court grants the motion for extension of deadlines (doc. no. 199) in that the deadlines will be rescheduled. The court defers ruling on the motion for injunctive relief (doc. no. 201) and motion to attach (doc. no. 202).

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: December 22, 2023

cc: Counsel of record.
Gary Michael Voris
Anita Carey
Saint Michael's Media